

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

James Kelly,  
a/k/a "Ls,"

Defendant.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: JUN 11 2019
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INDICTMENT

19 Cr. CRIM 426

COUNT ONE  
(Narcotics Distribution)

The Grand Jury charges:

1. On or about December 3, 2018, in the Southern District of New York, JAMES KELLY, a/k/a "Ls", the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

2. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of cocaine base.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT TWO  
(Narcotics Distribution)

The Grand Jury further charges:

3. On or about December 18, 2018, in the Southern District of New York, JAMES KELLY, a/k/a "Ls", the defendant,

JUDGE BERMAN

intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

4. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of cocaine base.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

**COUNT THREE**  
**(Narcotics Distribution)**

The Grand Jury further charges:

5. On or about December 27, 2018, in the Southern District of New York, JAMES KELLY, a/k/a "Ls", the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of cocaine base.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

**COUNT FOUR**  
**(Narcotics Distribution)**

The Grand Jury further charges:

7. On or about January 3, 2019, in the Southern District of New York, JAMES KELLY, a/k/a "Ls", the defendant,

intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

8. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of cocaine base.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

**COUNT FIVE**  
**(Narcotics Distribution)**

The Grand Jury further charges:

9. On or about January 8, 2019, in the Southern District of New York, JAMES KELLY, a/k/a "Ls", the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

10. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of cocaine base.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

**FORFEITURE ALLEGATIONS**

11. As a result of committing the offenses alleged in Count One through Five of this Indictment, JAMES KELLY, a/k/a "Ls", the defendant, shall forfeit to the United States, pursuant

to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

**Substitute Assets Provision**

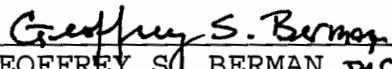
12. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

  
FOREPERSON

  
GEOFFREY S. BERMAN JMS  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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INDICTMENT

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(21 U.S.C. §§ 812, 841(a)(1), and  
841(b)(1)(C).)

GEOFFREY S. BERMAN  
United States Attorney

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Foreperson

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06/11/19

(CA)

INDICTMENT FILED  
WHEEL A. - DS BERMAN  
KN PARKER  
USAT